

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

Our Docket No.: 11872/US/2

First Named Inventor: Tara Nicole Sherman

Title: PROSTHETIC SPINAL DISC NUCLEUS WITH
ELEVATED SWELLING RATE

Express Mail No.: EV 325427190 US

19587 0/7233718
U.S. PTO



ADDRESS TO:

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPLICATION ELEMENTS

ACCOMPANYING APPLICATION PARTS

1. <input checked="" type="checkbox"/> Fee Calculation Sheet (Submit an original and a duplicate for fee processing)	9. <input type="checkbox"/> Certification Under 35 U.S.C. 122(b)(2)(B)(i)
2. <input checked="" type="checkbox"/> Applicant claims small entity status	10. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))
3. <input checked="" type="checkbox"/> Specification with Cover Sheet Total Pages: 26	11. <input type="checkbox"/> 37 C.F.R. 3.73(b) Submission
<input checked="" type="checkbox"/> Descriptive title of the invention	12. <input type="checkbox"/> Power of Attorney
<input checked="" type="checkbox"/> Cross Reference to Related Applications	13. <input type="checkbox"/> Information Disclosure Statement (with Copies of Citations as necessary)
<input type="checkbox"/> Statement Re: Fed. Sponsored R&D	14. <input type="checkbox"/> Preliminary Amendment Total Pages:
<input type="checkbox"/> Reference to Microfiche Appendix	15. <input type="checkbox"/> Certified Copy of Priority document(s) (if foreign priority is claimed)
<input checked="" type="checkbox"/> Background of the Invention	16. <input type="checkbox"/> English Translation Document (if applicable)
<input checked="" type="checkbox"/> Brief Summary of the Invention	17. <input checked="" type="checkbox"/> Return Receipt Postcard (Should be specifically itemized)
<input checked="" type="checkbox"/> Brief Description of the Drawings	18. <input checked="" type="checkbox"/> Other <input checked="" type="checkbox"/> Check in the amount of \$550
<input checked="" type="checkbox"/> Detailed Description	<input type="checkbox"/>
<input checked="" type="checkbox"/> Claims	<input type="checkbox"/>
<input checked="" type="checkbox"/> Abstract of the Disclosure	<input type="checkbox"/>
4. <input checked="" type="checkbox"/> Drawings (35 U.S.C. 113) Total Sheets: 3	<input type="checkbox"/>
5. <input type="checkbox"/> Oath or Declaration Total Pages: a. <input type="checkbox"/> Newly Executed (original or copy)	19. If a CONTINUATING APPLICATION, check appropriate box and supply the requisite information:
b. <input type="checkbox"/> Copy from a prior application (37 C.F.R. 1.63(d)) (for continuation/divisional with Box 19 completed)	<input type="checkbox"/> Continuation
i. <input type="checkbox"/> DELETION OF INVENTORS Signed statement attached deleting inventor(s) named in the prior application (37 C.F.R. 1.63(d)(2) and 1.33(b))	<input type="checkbox"/> Division
6. <input checked="" type="checkbox"/> Application Data Sheet (37.C.F.R. 1.76)	<input type="checkbox"/> Continuation-in-Part (CIP)
7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)	of PRIOR APPLICATION
8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (If applicable, all necessary)	No. _____, filed _____ and also claims priority from _____, dated _____
a. <input type="checkbox"/> Computer Readable Form (CRF)	
b. <input type="checkbox"/> Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper	
c. <input type="checkbox"/> Statement verifying identify of above copies	

CONTINUATION APPLICATIONS

19. If a CONTINUATING APPLICATION, check appropriate box and supply the requisite information:

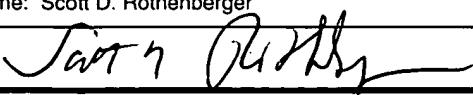
Continuation
 Division
 Continuation-in-Part (CIP)

of PRIOR APPLICATION

No. _____, filed _____
and also claims priority from _____, dated _____

For CONTINUATION or DIVISIONAL APPLICATIONS: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference.

CORRESPONDENCE ADDRESS

ADDRESS	CUSTOMER NUMBER		DORSEY & WHITNEY LLP Intellectual Property Department Suite 1500 50 South Sixth Street Minneapolis, MN 55402-1498	
TELEPHONE	25763		FAX	612-340-8856
Attorney Name: Scott D. Rothenberger			Reg. No. 41,277	
Signature: 			Date: November 25, 2007	



U.S. PATENT AND TRADEMARK OFFICE
**APPLICATION
FEE TRANSMITTAL SHEET**
(FY 2004)

Complete if Known

Application No.	Not Yet Known
Filing Date	Herewith
First Named Inventor	Tara Nicole Sherman
Group Art Unit	Not Yet Known
Examiner Name	Not Yet Known
Atty. Docket Number	11872/US/2

METHOD OF PAYMENT (Check One)				FEE CALCULATION (Continued)																																																																																																																																																																																
<p>1. <input checked="" type="checkbox"/> The Director is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account No.: <u>04-1420</u> Deposit Account Name: <u>DORSEY & WHITNEY LLP</u></p> <p><input checked="" type="checkbox"/> Charge any additional fee required under 37 C.F.R. 1.16 and 1.17 <input checked="" type="checkbox"/> Applicant claims small entity status (see 37 C.F.R. 1.27)</p> <p>2. <input checked="" type="checkbox"/> Check Enclosed</p>				<h3>3. ADDITIONAL FEES</h3> <table> <thead> <tr> <th>Large Entity Fee</th> <th>Small Entity Fee</th> <th>Fee Description</th> <th>Fee paid</th> </tr> </thead> <tbody> <tr> <td>50</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>130</td> <td>65</td> <td>Surcharge – Late nonprovisional filing fee or oath</td> <td></td> </tr> <tr> <td>180</td> <td>180</td> <td>Submission of IDS</td> <td></td> </tr> <tr> <td>40</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>110</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>420</td> <td>210</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>950</td> <td>475</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1,480</td> <td>740</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>2,010</td> <td>1,005</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>770</td> <td>385</td> <td>Submission After Final 1.129</td> <td></td> </tr> <tr> <td>330</td> <td>165</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>330</td> <td>165</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>290</td> <td>145</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>110</td> <td>55</td> <td>Terminal Disclaimer Fee</td> <td></td> </tr> <tr> <td>130</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>50</td> <td>50</td> <td>Petitions related to provisional applications</td> <td></td> </tr> <tr> <td>1,330</td> <td>665</td> <td>Utility/Reissue Issue Fee (including advance copies)</td> <td></td> </tr> <tr> <td>480</td> <td>240</td> <td>Design Issue Fee (inc. advance copies)</td> <td></td> </tr> <tr> <td>770</td> <td>385</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td>300</td> <td>300</td> <td>Publication fee for early, voluntary, or normal publication</td> <td></td> </tr> <tr> <td>300</td> <td>300</td> <td>Publication fee for re-publication</td> <td></td> </tr> <tr> <td>110</td> <td>55</td> <td>Petition to Revive – unavoidable</td> <td></td> </tr> <tr> <td>1,330</td> <td>665</td> <td>Petition to Revive – unintentional</td> <td></td> </tr> <tr> <td colspan="4"> OTHER FEE (specify) </td> </tr> <tr> <td colspan="4" style="text-align: right;"> Subtotal (3) 0 </td> </tr> <tr> <td colspan="4" style="text-align: right;"> Total Amount of Payment: \$550 </td> </tr> <tr> <td colspan="4"> <p>FEE CALCULATION</p> <p>1. BASIC FILING FEE</p> <table> <thead> <tr> <th>Large Entity Fee</th> <th>Small Entity Fee</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr> <td>160</td> <td>80</td> <td><input type="checkbox"/> Provisional Filing Fee</td> </tr> <tr> <td>770</td> <td>385</td> <td><input checked="" type="checkbox"/> Utility Filing Fee</td> </tr> <tr> <td>340</td> <td>170</td> <td><input type="checkbox"/> Design Filing Fee</td> </tr> <tr> <td>770</td> <td>385</td> <td><input type="checkbox"/> Reissue Filing Fee</td> </tr> <tr> <td colspan="3" style="text-align: right;">Subtotal (1) \$385</td> </tr> </tbody> </table> <p>2. EXTRA* CLAIM FEES</p> <table> <thead> <tr> <th>Number Claims</th> <th>Prior</th> <th>Extra</th> <th>Fee from Below*</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Total 24</td> <td>- 20</td> <td>= 4</td> <td>x \$9.00</td> <td>= \$36</td> </tr> <tr> <td>Indep. 6</td> <td>- 3</td> <td>= 3</td> <td>x \$43.00</td> <td>= \$129</td> </tr> <tr> <td>Multiple Dependent Claims</td> <td></td> <td></td> <td>= x</td> <td>=</td> </tr> <tr> <td colspan="5" style="text-align: right;">Subtotal (2) \$165</td> </tr> </tbody> </table> <p>*Calculation of Extra Claim Fees</p> <table> <thead> <tr> <th>Large Entity Fee</th> <th>Small Entity Fee</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr> <td>18</td> <td>9</td> <td>Claims in excess of 20</td> </tr> <tr> <td>86</td> <td>43</td> <td>Independent claims in excess of 3</td> </tr> <tr> <td>290</td> <td>145</td> <td>Multiple dependent Claim</td> </tr> <tr> <td>86</td> <td>43</td> <td>Reissue independent claims over original patent</td> </tr> <tr> <td>18</td> <td>9</td> <td>Reissue claims in excess of 20 and over original patent</td> </tr> </tbody> </table> </td> </tr> </tbody> </table>				Large Entity Fee	Small Entity Fee	Fee Description	Fee paid	50	25	Surcharge - late provisional filing fee or cover sheet		130	65	Surcharge – Late nonprovisional filing fee or oath		180	180	Submission of IDS		40	40	Recording each patent assignment per property (times number of properties)		110	55	Extension for reply within first month		420	210	Extension for reply within second month		950	475	Extension for reply within third month		1,480	740	Extension for reply within fourth month		2,010	1,005	Extension for reply within fifth month		770	385	Submission After Final 1.129		330	165	Notice of Appeal		330	165	Filing a brief in support of an appeal		290	145	Request for oral hearing		110	55	Terminal Disclaimer Fee		130	130	Petitions to the Commissioner		50	50	Petitions related to provisional applications		1,330	665	Utility/Reissue Issue Fee (including advance copies)		480	240	Design Issue Fee (inc. advance copies)		770	385	Request for Continued Examination (RCE)		300	300	Publication fee for early, voluntary, or normal publication		300	300	Publication fee for re-publication		110	55	Petition to Revive – unavoidable		1,330	665	Petition to Revive – unintentional		OTHER FEE (specify)				Subtotal (3) 0				Total Amount of Payment: \$550				<p>FEE CALCULATION</p> <p>1. BASIC FILING FEE</p> <table> <thead> <tr> <th>Large Entity Fee</th> <th>Small Entity Fee</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr> <td>160</td> <td>80</td> <td><input type="checkbox"/> Provisional Filing Fee</td> </tr> <tr> <td>770</td> <td>385</td> <td><input checked="" type="checkbox"/> Utility Filing Fee</td> </tr> <tr> <td>340</td> <td>170</td> <td><input type="checkbox"/> Design Filing Fee</td> </tr> <tr> <td>770</td> <td>385</td> <td><input type="checkbox"/> Reissue Filing Fee</td> </tr> <tr> <td colspan="3" style="text-align: right;">Subtotal (1) \$385</td> </tr> </tbody> </table> <p>2. EXTRA* CLAIM FEES</p> <table> <thead> <tr> <th>Number Claims</th> <th>Prior</th> <th>Extra</th> <th>Fee from Below*</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Total 24</td> <td>- 20</td> <td>= 4</td> <td>x \$9.00</td> <td>= \$36</td> </tr> <tr> <td>Indep. 6</td> <td>- 3</td> <td>= 3</td> <td>x \$43.00</td> <td>= \$129</td> </tr> <tr> <td>Multiple Dependent Claims</td> <td></td> <td></td> <td>= x</td> <td>=</td> </tr> <tr> <td colspan="5" style="text-align: right;">Subtotal (2) \$165</td> </tr> </tbody> </table> <p>*Calculation of Extra Claim Fees</p> <table> <thead> <tr> <th>Large Entity Fee</th> <th>Small Entity Fee</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr> <td>18</td> <td>9</td> <td>Claims in excess of 20</td> </tr> <tr> <td>86</td> <td>43</td> <td>Independent claims in excess of 3</td> </tr> <tr> <td>290</td> <td>145</td> <td>Multiple dependent Claim</td> </tr> <tr> <td>86</td> <td>43</td> <td>Reissue independent claims over original patent</td> </tr> <tr> <td>18</td> <td>9</td> <td>Reissue claims in excess of 20 and over original patent</td> </tr> </tbody> </table>				Large Entity Fee	Small Entity Fee	Fee Description	160	80	<input type="checkbox"/> Provisional Filing Fee	770	385	<input checked="" type="checkbox"/> Utility Filing Fee	340	170	<input type="checkbox"/> Design Filing Fee	770	385	<input type="checkbox"/> Reissue Filing Fee	Subtotal (1) \$385			Number Claims	Prior	Extra	Fee from Below*	Fee Paid	Total 24	- 20	= 4	x \$9.00	= \$36	Indep. 6	- 3	= 3	x \$43.00	= \$129	Multiple Dependent Claims			= x	=	Subtotal (2) \$165					Large Entity Fee	Small Entity Fee	Fee Description	18	9	Claims in excess of 20	86	43	Independent claims in excess of 3	290	145	Multiple dependent Claim	86	43	Reissue independent claims over original patent	18	9	Reissue claims in excess of 20 and over original patent
Large Entity Fee	Small Entity Fee	Fee Description	Fee paid																																																																																																																																																																																	
50	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																		
130	65	Surcharge – Late nonprovisional filing fee or oath																																																																																																																																																																																		
180	180	Submission of IDS																																																																																																																																																																																		
40	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																		
110	55	Extension for reply within first month																																																																																																																																																																																		
420	210	Extension for reply within second month																																																																																																																																																																																		
950	475	Extension for reply within third month																																																																																																																																																																																		
1,480	740	Extension for reply within fourth month																																																																																																																																																																																		
2,010	1,005	Extension for reply within fifth month																																																																																																																																																																																		
770	385	Submission After Final 1.129																																																																																																																																																																																		
330	165	Notice of Appeal																																																																																																																																																																																		
330	165	Filing a brief in support of an appeal																																																																																																																																																																																		
290	145	Request for oral hearing																																																																																																																																																																																		
110	55	Terminal Disclaimer Fee																																																																																																																																																																																		
130	130	Petitions to the Commissioner																																																																																																																																																																																		
50	50	Petitions related to provisional applications																																																																																																																																																																																		
1,330	665	Utility/Reissue Issue Fee (including advance copies)																																																																																																																																																																																		
480	240	Design Issue Fee (inc. advance copies)																																																																																																																																																																																		
770	385	Request for Continued Examination (RCE)																																																																																																																																																																																		
300	300	Publication fee for early, voluntary, or normal publication																																																																																																																																																																																		
300	300	Publication fee for re-publication																																																																																																																																																																																		
110	55	Petition to Revive – unavoidable																																																																																																																																																																																		
1,330	665	Petition to Revive – unintentional																																																																																																																																																																																		
OTHER FEE (specify)																																																																																																																																																																																				
Subtotal (3) 0																																																																																																																																																																																				
Total Amount of Payment: \$550																																																																																																																																																																																				
<p>FEE CALCULATION</p> <p>1. BASIC FILING FEE</p> <table> <thead> <tr> <th>Large Entity Fee</th> <th>Small Entity Fee</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr> <td>160</td> <td>80</td> <td><input type="checkbox"/> Provisional Filing Fee</td> </tr> <tr> <td>770</td> <td>385</td> <td><input checked="" type="checkbox"/> Utility Filing Fee</td> </tr> <tr> <td>340</td> <td>170</td> <td><input type="checkbox"/> Design Filing Fee</td> </tr> <tr> <td>770</td> <td>385</td> <td><input type="checkbox"/> Reissue Filing Fee</td> </tr> <tr> <td colspan="3" style="text-align: right;">Subtotal (1) \$385</td> </tr> </tbody> </table> <p>2. EXTRA* CLAIM FEES</p> <table> <thead> <tr> <th>Number Claims</th> <th>Prior</th> <th>Extra</th> <th>Fee from Below*</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Total 24</td> <td>- 20</td> <td>= 4</td> <td>x \$9.00</td> <td>= \$36</td> </tr> <tr> <td>Indep. 6</td> <td>- 3</td> <td>= 3</td> <td>x \$43.00</td> <td>= \$129</td> </tr> <tr> <td>Multiple Dependent Claims</td> <td></td> <td></td> <td>= x</td> <td>=</td> </tr> <tr> <td colspan="5" style="text-align: right;">Subtotal (2) \$165</td> </tr> </tbody> </table> <p>*Calculation of Extra Claim Fees</p> <table> <thead> <tr> <th>Large Entity Fee</th> <th>Small Entity Fee</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr> <td>18</td> <td>9</td> <td>Claims in excess of 20</td> </tr> <tr> <td>86</td> <td>43</td> <td>Independent claims in excess of 3</td> </tr> <tr> <td>290</td> <td>145</td> <td>Multiple dependent Claim</td> </tr> <tr> <td>86</td> <td>43</td> <td>Reissue independent claims over original patent</td> </tr> <tr> <td>18</td> <td>9</td> <td>Reissue claims in excess of 20 and over original patent</td> </tr> </tbody> </table>				Large Entity Fee	Small Entity Fee	Fee Description	160	80	<input type="checkbox"/> Provisional Filing Fee	770	385	<input checked="" type="checkbox"/> Utility Filing Fee	340	170	<input type="checkbox"/> Design Filing Fee	770	385	<input type="checkbox"/> Reissue Filing Fee	Subtotal (1) \$385			Number Claims	Prior	Extra	Fee from Below*	Fee Paid	Total 24	- 20	= 4	x \$9.00	= \$36	Indep. 6	- 3	= 3	x \$43.00	= \$129	Multiple Dependent Claims			= x	=	Subtotal (2) \$165					Large Entity Fee	Small Entity Fee	Fee Description	18	9	Claims in excess of 20	86	43	Independent claims in excess of 3	290	145	Multiple dependent Claim	86	43	Reissue independent claims over original patent	18	9	Reissue claims in excess of 20 and over original patent																																																																																																																				
Large Entity Fee	Small Entity Fee	Fee Description																																																																																																																																																																																		
160	80	<input type="checkbox"/> Provisional Filing Fee																																																																																																																																																																																		
770	385	<input checked="" type="checkbox"/> Utility Filing Fee																																																																																																																																																																																		
340	170	<input type="checkbox"/> Design Filing Fee																																																																																																																																																																																		
770	385	<input type="checkbox"/> Reissue Filing Fee																																																																																																																																																																																		
Subtotal (1) \$385																																																																																																																																																																																				
Number Claims	Prior	Extra	Fee from Below*	Fee Paid																																																																																																																																																																																
Total 24	- 20	= 4	x \$9.00	= \$36																																																																																																																																																																																
Indep. 6	- 3	= 3	x \$43.00	= \$129																																																																																																																																																																																
Multiple Dependent Claims			= x	=																																																																																																																																																																																
Subtotal (2) \$165																																																																																																																																																																																				
Large Entity Fee	Small Entity Fee	Fee Description																																																																																																																																																																																		
18	9	Claims in excess of 20																																																																																																																																																																																		
86	43	Independent claims in excess of 3																																																																																																																																																																																		
290	145	Multiple dependent Claim																																																																																																																																																																																		
86	43	Reissue independent claims over original patent																																																																																																																																																																																		
18	9	Reissue claims in excess of 20 and over original patent																																																																																																																																																																																		

Submitted by:

CUSTOMER NUMBER 25763	DORSEY & WHITNEY LLP	Intellectual Property Department Suite 1500, 50 South Sixth Street Minneapolis, MN 55402
Name: Scott D. Rothenberger	Phone No.: (612) 340-8819	Fax No.: (612) 340-8856
Signature: 	Reg. No.: 41,277	Date: November 2, 2003

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Tara Nicole Sherman et al.

Docket No.

11872/US/2

Serial No.
Not Yet KnownFiling Date
HerewithExaminer
Not Yet KnownGroup Art Unit
Not Yet Known

Invention:

PROSTHETIC SPINAL DISC NUCLEUS WITH ELEVATED SWELLING RATE

I hereby certify that this Appln Trnsmtl (1); Fee Trnsmtl (1); Appln Data (2); Spec w/Cover (26); Drwgs (3);
Check #975310; *(Identify type of correspondence)* Rcpt Pstcrd

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under
37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C.
20231-0001 on 25 November 2003

*(Date)***Kim Anderson***(Typed or Printed Name of Person Mailing Correspondence)*
*(Signature of Person Mailing Correspondence)***EV 325427190 US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**